

E-filed 1/19/06

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR 05-00681 JF
Plaintiff,) ORDER CONTINUING CASE AND
v.) EXCLUDING TIME UNDER THE
FELIX LEYVA-ANAYA,) SPEEDY TRIAL ACT, 18 U.S.C. § 3161
a/k/a Felix Leyva,)
Defendant.)

This matter came before the Court for a status hearing on Wednesday, January 18, 2006. Counsel for the government and the defendant were present. Based on the hearing, the request of the defendant, without objection from the government, the Court finds pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B), that the interests of justice in granting this continuance outweigh the defendant's and the public's interests in a speedy trial inasmuch as the defendant needs additional time for investigation and effective preparation.

IT IS HEREBY ORDERED that this case is continued to Wednesday, February 15, 2006 at 9:00 a.m. for a status hearing.

IT IS FURTHER ORDERED that the period of time from January 18, 2006 through and including February 15, 2006 shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

DATED: 1/19/06


JEREMY FOGEL
United States District Judge

1 Copies to be served on:

2 MATTHEW A. LAMBERTI
3 Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, California 95113

4 CYNTHIA C. LIE
5 Assistant Federal Public Defender
160 W. Santa Clara Street, Suite 575
6 San Jose, California 95113

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28